

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

In re:)	No. 1:07-CV-11
)	
TARGET GRAPHICS, INC.)	Chief Judge Curtis L. Collier

ORDER

Target Graphics, Inc.'s ("Target") notice of bankruptcy appeal was transmitted to this Court in January 2007 (Court File No. 1). Target specifically appealed two orders which the Bankruptcy Court for the Eastern District of Tennessee at Chattanooga ("Bankruptcy Court") entered in November and December 2006 in connection with its Chapter 11 bankruptcy case (*id.*). On March 6, 2007, upon Target's motion, the Court suspended the appellate briefing schedule pending receipt of the hearing transcripts (Court File No. 4). The Court also ordered the briefing schedule shall commence upon receipt of the transcripts and set a hearing on the merits of the appeal for June 13, 2007 (*id.*). The clerk received the hearing transcripts on March 12, 2007 (Court File No. 1); therefore, the appellate briefing schedule contained in the Federal Rules of Bankruptcy Procedure commenced on that date.

Target filed a motion for stay of the two orders it appealed in the Bankruptcy Court on December 21, 2006 (Court File No. 6, Attachment 1). After oral argument, the Bankruptcy Court denied that motion by memorandum opinion and order dated March 16, 2007 (Court File No. 6, Attachment 2). On March 19, 2007, Target filed a motion in this Court requesting review and reversal of the Bankruptcy Court's denial of its motion for stay (Court File No. 5). At Target's

request this Court heard oral argument on this motion on May 31, 2007 (Court File No. 9).¹

On June 4, 2007, after carefully considering the parties' briefs and arguments as well as the controlling law, this Court entered an order and accompanying memorandum affirming the Bankruptcy Court's order denying Target's motion for stay pending appeal (Court File Nos. 10 & 11). Thereafter, the parties notified the Court the hearing on the merits of the appeal was not necessary and it was canceled. Currently, there are no pending motions or briefs before the Court.

Accordingly, the parties are **ORDERED** to show cause by **Monday, July 30, 2007**, as to why the Court should not dismiss this case.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE

¹ The Court heard arguments from both Target and its major secured creditor, Merrill Lynch Business Financial Services, Inc. ("Merrill Lynch") (Court File No. 9).